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06-276

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SUPREME COURT, U.S.

In The

Supreme Court of the United States

October Term, 2006

ARTHUR O. ARMSTRONG,

Petitioner,

vs.

CITY OF CONYERS,
CONYERS POLICE DEPARTMENT,
TONY LUCAS,
Lt. JACKIE DUNN,
JAY ARCHER,
DAVID CATHCART,

TO BE REPRINTED

Respondents.

On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Eleventh Circuit

SUPPLEMENT TO PETITION FOR A WRIT OF CERTIORARI

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NORTH CAROLINA 27822
(252)236-7912

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QUESTIONS PRESENTED

Whether the trial court, Judge Richard W. Story, denied plaintiff's motion for leave to file motion for reconsideration.

SUPREME COURT OF THE UNITED STATES

ARTHUR O. ARMSTRONG NO. 06-276

vs.

CITY OF CONYERS, GEORGIA, et al

SUPPLEMENTAL PETITION FOR A WRIT

TO: THE HONORABLE SUPREME COURT OF THE UNITED STATES:

Petitioner, Arthur O. Armstrong, respectfully, files supplemental petition for a writ to review the Order/Decree of Judge Richard W. Story, dated: January 10, 2006. The Order and Decree appealed from is described as follows:

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ARTHUR O. ARMSTRONG :
v. :
CITY OF CONYERS, GEORGIA, et al: ORDER

AND NOW this 10th day of January, 2006, upon consideration of plaintiff's motion for leave to file motion for Reconsideration and the Response of defendant, if any, it is hereby ORDERED and DECREED that plaintiff's motion be GRANTED.

BY THE COURT:

RICHARD W. STORY, J.

Facts

The plaintiff failed to perfect the appeal in submitting the motion for reconsideration without submitting the accompanying order which provides for the interlocutory order; thereby rendering the plaintiff's to the nonappealability of right of an interlocutory order granting plaintiff's motion.

Reasons Why Writ Should Issue

The interlocutory order makes it impractical for petitioner to proceed further in trial court; that irreparable harm will result to petitioner and will continue to result if petitioner's appeal is not perfected with the interlocutory order. Said Order and Decree directly involves a substantial question arising under the Fourth and Fourteenth Amendments to the Constitution of United States and under Article 1, Section 20 of the Constitution of the State of North Carolina, in that it deprives rights secured thereunder to the plaintiff by overruling plaintiff's assignment of error to the denial of his Motion for leave to file Motion for Reconsideration, thereby depriving plaintiff of his constitutional right not to be deprived of life, property, or liberty, without due process of law; nor be denied equal protection of the laws. This constitutional issue was timely raised in the trial tribunal by plaintiff's Motion for reconsideration prior to the trial of plaintiff.

The meritorious basis of petitioner's proposed assignments of error, etc., is that in Rockdale County, Georgia, the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when they failed to conform to the requirements of the federal constitution and the laws of the United States, when they conspired to go onto the highway in disguise to deprive either directly or indirectly, Mr. Armstrong of equal protection of the laws or of equal privileges or immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to plaintiff the equal protection of the laws when they acted with including but not limited to: malice, falsity, oppression, trickery, defamation, fraud, RICO, arbitrariness, capriciousness, and without probable cause, stopped and detained plaintiff, made an entry, without a warrant, onto private areas of personal premise of plaintiff; invaded his privacy and seized property in violation of the Fourth Amendment to the Constitution of the United State. They aided and abetted after the fact such a conspiracy. I pray for judgment in the sum of $100,000,000.

WHEREFORE, petitioner respectfully prays that this Court issues its writ of certiorari to the United States District Court for the Northern District of Georgia and/or United States Court of Appeal for the Eleventh Circuit if appropriate, to

review the Order/Decree above specified, upon error (Trial court committed reversible error in denying plaintiff's motion for leave to file motion for reconsideration.) assigned in the record on appeal constituted in accordance to the Federal Rules of Appellate Procedure.

Respectfully submitted this the 10th day of October, 2006.

/s/ Arthur O. Armstrong, Petitioner
Arthur O. Armstrong, Petitioner
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

October 10, 2006.

/s/ Arthur O. Armstrong, Petitioner
Arthur O. Armstrong, Petitioner

OF COUNSEL:

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NORTH CAROLINA 27822
252-236-7912